

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

September 16, 2021

T. Michalski called the meeting to order at 4:02 p.m. and roll was taken.

MEMBERS PRESENT: L. Spataro, B. Mazade, T. Michalski, J. Doyle, J. Montgomery-Keast

MEMBERS ABSENT: E. Hood, D. Keener, S. Gawron, F. Peterson

STAFF PRESENT: M. Franzak, C. Cashin

OTHERS PRESENT: R. Leestma (Adelaide Pointe), G. Weykamp & J. Cox (Edgewater Resources)

APPROVAL OF MINUTES

A motion to approve the Minutes of the regular Planning Commission meeting on July 15, 2021 was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2021-24

Request for preliminary Planned Unit Development approval for a mixed use development at 920/1148/1204 W Western, by Ryan Leestma.

SUMMARY

1. The proposed PUD consists of two privately-owned parcels (1148 & 1204 W Western) and a portion of the charter park at Hartshorn Marina (920 W Western). The usage of the charter park would be done through a shared access agreement. The size of the entire project is 37.3 acres.
2. There are three underlying zoning designations within the proposed PUD; Lakefront Recreation, Heavy Industrial and Form Based Code, Neighborhood Edge.
3. The land uses associated with the PUD include light industrial, boat storage, multi-family residential, retail and a new marina and boat launch.
4. The new streets (Adelaide Ave, Adelaide Dr, Adelaide Circle) will be publicly owned and maintained.
5. Public access to the site will increase significantly, especially to the lakeshore. The bike path would be repositioned slightly, moving it closer to the water. The three peninsulas will be publicly accessible and a fishing pier will be constructed at the end of the peninsula on the charter park property. That peninsula is currently gated and only accessible to those utilizing the small boat basin. The gate will be removed to allow for public access to all. The 30 slips at the former small boat basin would be removed, but 70 transient slips would be available at the new marina. The former small boat basin would be used as another boat launch with a lift that can launch boats up to 100 feet, an amenity the City currently does not possess. The launch would be operated by the developer but would remain open for public use.

Staff recommends approval of the preliminary PUD.

L. Spataro mentioned that Adelaide Avenue runs north and south, he suggested that the street name change to Adelaide Street. Avenues in Muskegon traditionally run east and west. M. Franzak mentioned that there will be an additional bike path created as a shortcut along Western Avenue. The Planning Commission had questions regarding the loss of the

small boat parking that is currently available to the public in the east basin. G. Weykamp and R. Leestma presented the Adelaide Pointe project to the Planning Commission. G. Weykamp mentioned that there will be a section within the harbor that allows for transient boat parking and the east basin will have shopper docks that allow public to park for the day while using the facilities. The original Hartshorn boat ramp will remain. The new east basin boat launch will be available to the public and will allow triple axel trailers to use the facilities.

A public hearing was had, one resident spoke in approval of the project. A motion was made to close the public hearing, by L. Spataro, supported by J. Montgomery-Keast and unanimously approved.

A motion that the request for preliminary Planned Unit Development approval for a mixed use development at 920/1148/1204 W Western be approved was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

Hearing, Case 2021-25

Request for final Planned Unit Development approval for a mixed use development at 920/1148/1204 W Western, by Ryan Leestma.

SUMMARY

1. A detailed site plan (C-1.00) and illustrative map (V-2.00) can be found inside of the PUD Submittal. Within the site plan map, you will also see a chart that depicts the building heights/sizes, unit counts and parking information. A larger copy of this document has been separately included in your packet. Staff agrees that parking needs can be met through shared parking by different uses and elimination of some required spaces due to certain reductions.
2. Any approvals will be contingent upon issuance of a stormwater permit from the Muskegon County Drain Commissioners Office. The stormwater management plan is currently under review at that office.
3. The Public Works and Fire Department offices are still working with the applicant on the location of fire hydrants and water main at the northern end of the site. Public Works desires to see all of the public water main located within the public right-of-way. All approvals should be contingent up staff approving these measures.
4. The Planning Department would like to see buildings C5 and C6 contribute more to the public realm and pedestrian experience on Western Ave. This is the area that has the underlying form based code zoning, which was intended to create more walkable, pedestrian oriented developments. Regarding this development, its obvious that the waterfront is the key feature. However, staff believes that some modifications to these buildings could help draw people into the development and other future developments on the south side of Western Ave. Staff would recommend that these buildings be located closer to Western Ave and incorporate pedestrian-scaled elements such as transparent windows and adequate entrances along the front façade.
5. The Planning Department would also encourage the proposed parallel parking spaces on Adelaide Circle be reduced from 10 feet to 7 feet, which could reduce the size of the ROW by up to 6 feet.
6. Staff is currently working with the developer on these staff comments and they are preparing to present new materials at the meeting that will address these issues.
7. The developer is currently finalizing the phasing plan and will present it at the meeting.

Planning Commission had a short discussion about the project. L. Spataro requested that sidewalks be added around buildings C6 & C5.

A motion was made to close the public hearing, by J. Montgomery-Keast, supported by L. Spataro and unanimously approved.

A motion that the request for final Planned Unit Development approval for a mixed use development at 920/1148/1204 W Western be recommended to the City Commission for approved with the following conditions was made by L. Spataro, supported by B. Mazade and unanimously approved.

1. A stormwater permit is obtained from the Muskegon County Drain Commissioners Office.
2. Staff approves an amended site plan that addresses the comments from the Public Works, Fire and Planning Departments, including adding sidewalks around buildings C6 & C5.

Hearing, Case 2021-26

Staff initiated request to amend the Lakeside Form Based Code to allow caregivers, microbusinesses, designated consumption establishments, class A recreational grows (500 plant max), class A medical grows (100 plant max), class B medical grows (500 plant max) and temporary marihuana events as a special use permitted in the Lakeside Commercial and Lakeside Heavy Commercial context areas.

SUMMARY

1. Marihuana caregivers are allowed in B-2, B-4, Medical Care, I-1 and I-2 zoning districts.
2. The Lakeside Business District was made up predominantly of B-2 and B-4 zoning districts. They were rezoned to Lakeside Form Based Code in May Of 2019. The newly created Lakeside Form Based Code did not allow for caregivers at the time, an oversight from staff. There is now a legally non-conforming caregiver located in Lakeside, as it existed before the zoning change.
3. In November of 2020, in an effort to help get more local people involved in the marihuana industry, the Commission adopted an ordinance amendment that would allow smaller marihuana license types to operate where caregivers were already allowed. These license types included microbusinesses, designated consumption establishments, class A recreational grows, class B recreational grows, class A medical grows and temporary marihuana events as a special use permitted.
4. Had the Lakeside Business District not been rezoned to Lakeside Form Based Code, the Lakeside Businesses would have enjoyed the ability to operate these uses under a special use permit.
5. Staff is proposing to amend the Lakeside Form Based Code ordinance to allow these same license types in the Lakeside Commercial and Lakeside Heavy Commercial Context areas.
6. There are 37 properties in Lakeside that have Lakeside Commercial and Lakeside Heavy Commercial Context areas, however, most of them do not have enough space to operate for marihuana production. Its estimated that for a 100 plant grow, there will need to be at least 4,000-5,000 sf available for growing and harvesting.

The Planning Commission requested that staff send notice to the affected area and hold another public hearing on this topic at the October Planning Commission meeting. No action taken at this time.

NEW BUSINESS

None

OLD BUSINESS

None

UPDATES ON PREVIOUS CASES

None

OTHER

None

ADJOURN

There being no further business, the meeting was adjourned at 5:16 PM.